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NOVARTIS VACCINES AND DIAGNOSTICS INC.
INTELLECTUAL PROPERTY R338
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In re Application of	:	
Grandi et al.	:	
Application No. 10/561,236	:	
PCT No.: PCT/US04/20491	:	
Int. Filing Date: 25 June 2004	:	DECISION
Priority Date: 26 June 2003	:	
Atty. Docket No.: 002441.00183	:	
For: Immunogenic Compositions	:	
For Chlamydia Trachomatis	:	

This is in response to the renewed submission under 37 CFR 1.42 filed on 18 February 2008.

DISCUSSION

In a Communication mailed on 10 December 2007, the declaration of the inventors filed on 14 August 2007 was not accepted under 37 CFR 1.42, without prejudice, because

Further examination of the declaration filed on 14 August 2007 reveals that it is directed to the instant national stage application number, but also to a different international application number (PCT/US2005/006588); since the application to which it is directed is ambiguous, the declaration is defective. The declaration is also defective in that it nominates Alessandra Bonci, rather than Alessandro Bonci named in the published international application. The document has been signed in the capacity of "legal representative" by an individual whose name is not clearly legible. The declaration appears to provide citizenship, residence and mailing address for both the legal representative and Mr. Ratti (the information provided for the legal representative is the same as that provided for Mr. Ratti). As the declaration is defective, it would not be appropriate to accept it under 37 CFR 1.42 at this time.

In response, counsel presents a newly executed declaration directed toward the instant application, signed on behalf of Giulio RATTI by Livia LEHUTOVA in the capacity of "Legal Representative." The declaration provides citizenship, residence and mailing address for both the legal representative and Mr. Ratti. The declaration also includes a statement signed by Alessandra BONCI attesting that same is the correct spelling of her name. This declaration is acceptable under 37 CFR 1.42, and is acceptable for purposes of compliance with 37 CFR 1.497(a) and (b).

CONCLUSION

The declaration filed on 18 February 2008 is ACCEPTED under 37 CFR 1.42.

This application is being forwarded to the Office of Patent Application Processing for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is 18 February 2008.

/George Dombroske/
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